

# HOUSE BILL 1419

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By: **Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)**

Introduced and read first time: February 29, 2012

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources – Hunting Licenses and Stamps**

3 FOR the purpose of clarifying the uses of the State Wildlife and Management  
4 Protection Fund; repealing obsolete language; clarifying that a certain  
5 nonresident license does not authorize bear hunting; altering the fees for  
6 certain hunting stamps and licenses; establishing a nonresident Maryland  
7 migratory game bird stamp and certain turkey stamps; repealing a certain  
8 requirement that the Department of Natural Resources use certain funds for a  
9 certain purpose; repealing certain nonresident trapping restrictions; altering  
10 the fee for a certain trapping license; establishing certain consolidated hunting  
11 licenses and stamps; making certain technical corrections; providing for a  
12 delayed effective date for certain provisions of this Act; and generally relating to  
13 hunting licenses and stamps.

14 BY repealing and reenacting, without amendments,  
15 Article – Natural Resources  
16 Section 10–209(a), (b), (c), and (f)  
17 Annotated Code of Maryland  
18 (2007 Replacement Volume and 2011 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – Natural Resources  
21 Section 10–209(g), 10–301(c)(1) and (g), 10–305, 10–308(a), 10–308.1(b)(1),  
22 10–415, and 10–502  
23 Annotated Code of Maryland  
24 (2007 Replacement Volume and 2011 Supplement)

25 BY repealing  
26 Article – Natural Resources  
27 Section 10–308(b)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2007 Replacement Volume and 2011 Supplement)

3 BY repealing and reenacting, with amendments,  
4 Article – Natural Resources  
5 Section 10–301(c)(1) and (g)  
6 Annotated Code of Maryland  
7 (2007 Replacement Volume and 2011 Supplement)  
8 (As enacted by Section 1 of this Act)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
10 MARYLAND, That the Laws of Maryland read as follows:

11 **Article – Natural Resources**

12 10–209.

13 (a) In this section, “Fund” means the State Wildlife Management and  
14 Protection Fund.

15 (b) There is a State Wildlife Management and Protection Fund in the  
16 Department.

17 (c) The purpose of the Fund is to finance the scientific investigation,  
18 protection, propagation, and management of wildlife.

19 (f) The Fund consists of:

20 (1) Any money received for a license, stamp, application, or permit fee  
21 under this title, unless otherwise provided; and

22 (2) Any investment earnings of the Fund.

23 (g) The Fund may be used **ONLY** for:

24 (1) The scientific investigation, protection, propagation, and  
25 management of wildlife; and

26 (2) Administrative costs calculated in accordance with § 1–103(b)(2) of  
27 this article.

28 10–301.

29 (c) (1) Except as provided in paragraph (2) of this subsection, the  
30 following persons are not required to obtain a [hunter’s] **HUNTING** license, bow [and  
31 arrow] stamp, [black powder] **MUZZLELOADER** stamp, or bonus antlered deer stamp:

1 (i) With respect to hunting on farmland only:

2 1. The resident owner of the farmland and the owner's  
3 spouse, child, and child's spouse;

4 2. A tenant and the tenant's spouse, child, and child's  
5 spouse. A tenant is a person holding land under a lease, or a sharecropper who resides  
6 in a dwelling on the land, but a tenant does not include any employee of the owner or  
7 tenant; and

8 3. A nonresident owner of a parcel of farmland and the  
9 owner's spouse, child, and child's spouse if:

10 A. The parcel of farmland is located in Maryland and an  
11 adjacent state;

12 B. The owner's primary residence is on the parcel of  
13 farmland; and

14 C. The adjacent state extends similar privileges to a  
15 resident of Maryland;

16 (ii) Any resident serving in the armed forces of the United  
17 States while on leave in the State, during the resident's leave period, if, while hunting,  
18 the resident possesses a copy of the resident's official leave order;

19 (iii) Any person serving in the armed forces of the United States  
20 who has a service-connected disability, if, while hunting, the person possesses valid  
21 military identification; and

22 (iv) Any unarmed person participating in an organized foxhunt.

23 (g) (1) There shall be the following types of hunting licenses in the State:

24 (i) A [resident] hunting license that enables the purchaser to  
25 hunt all legal game birds and mammals during any appropriate season in Maryland  
26 [without the purchase of additional stamps, unless the purchaser is hunting migratory  
27 game birds or deer during bow and arrow season or black powder season. To hunt  
28 migratory game birds the purchaser must also buy a Maryland migratory game bird  
29 stamp and to hunt wild waterfowl the purchaser must buy both a Maryland migratory  
30 game bird stamp and a federal migratory bird hunting and conservation stamp. To  
31 hunt deer during bow and arrow season and black powder season the purchaser must  
32 also purchase a bow and arrow or black powder stamp]. **THIS LICENSE DOES NOT  
33 INCLUDE DEER STAMPS, A MIGRATORY GAME BIRD STAMP, A TURKEY STAMP, OR  
34 ANY OTHER HUNTING STAMP OR PERMIT REQUIRED BY THE DEPARTMENT IN  
35 REGULATION.**

1                   (ii) [A nonresident hunting license that enables the purchaser  
2 to hunt all legal game birds and mammals during any appropriate season without the  
3 purchase of additional stamps unless the purchaser is hunting migratory game birds  
4 or deer during bow and arrow season or black powder season. This license enables the  
5 purchaser to hunt migratory game birds only with the purchase of a Maryland  
6 migratory game bird stamp and to hunt wild waterfowl only with the purchase of both  
7 a Maryland migratory game bird stamp and a federal migratory bird hunting and  
8 conservation stamp. This license enables the purchaser to hunt deer during bow and  
9 arrow season and black powder season only with the purchase of a nonresident bow  
10 and arrow or black powder stamp.

11                   (iii)] A nonresident 3–day hunting license that enables the  
12 purchaser to hunt all legal game birds and mammals except deer, **BEAR**, and turkey  
13 for the 3 consecutive legal hunting days in a single season that are specified on the  
14 license by the issuing agent. The purchaser must also purchase a **NONRESIDENT**  
15 Maryland migratory game bird stamp to hunt migratory game birds and a federal  
16 migratory bird hunting and conservation stamp to hunt wild waterfowl with this  
17 license. Under no circumstance does this license authorize the purchaser to hunt deer  
18 **[and], BEAR, OR** turkey.

19                   (2) Residents may purchase a senior hunting license beginning in the  
20 calendar year in which they attain the age of 65.

21                   (3) A nonresident of any age must purchase either a nonresident  
22 hunting license or a nonresident 3–day hunting license to hunt in the State.

23                   (4) The fees for hunting licenses are according to the following  
24 schedule:

25                   (i) Resident, junior, under the age of 16 years ..... \$10.50

26                   (ii) Resident, regular, at least 16 years old and under the age of  
27 65 years.....**[\$24.50] \$40.00**

28                   (iii) Resident, senior, at least 65 years old ..... \$5.00

29                   (iv) Nonresident, regular, at least 16 years  
30 old.....**[\$130.00] \$160.00**

31                   (v) Nonresident, junior, under the age of 16 years ..... \$65.00

32                   (vi) Complimentary license authorized to be issued under  
33 § 10–303 of this subtitle.....No fee

34                   (vii) Nonresident 3–day hunting license ..... **[\$45.00] \$60.00**

1 (5) The fees for individual hunting stamps are according to the  
2 following schedule:

3 (i) Bow [and arrow] stamp ..... \$6.00

4 (ii) Nonresident bow [and arrow] stamp ..... ~~[\$25.00]~~ **\$30.00**

5 (iii) [Black powder] **MUZZLELOADER** stamp..... \$6.00

6 (iv) Nonresident [black powder] **MUZZLELOADER**  
7 stamp.....~~[\$25.00]~~ **\$30.00**

8 (v) Maryland migratory game bird stamp..... \$9.00

9 **(VI) NONRESIDENT MARYLAND MIGRATORY GAME BIRD**  
10 **STAMP** ..... **\$30.00**

11 **[(vi)] (VII)** Resident bonus antlered deer stamp..... \$10.00

12 **[(vii)] (VIII)** Nonresident bonus antlered deer stamp for each type  
13 of deer hunting season.....~~[\$25.00]~~ **\$30.00**

14 **(IX) RESIDENT TURKEY STAMP** ..... **\$10.00**

15 **(X) NONRESIDENT TURKEY STAMP** ..... **\$30.00**

16 10-305.

17 If any person loses the person’s hunter’s license, the person may make affidavit  
18 stating the date the license was issued, its number, description, and the name of the  
19 designated person who issued the license. Upon receipt of this information the  
20 Department may issue a duplicate hunting license for a ~~[\$5]~~ **\$10** fee.

21 10-308.

22 **[(a)]** The Department shall use \$1 from the sale of each resident regular and  
23 full season nonresident hunting license as follows:

24 (1) Up to 40 percent to:

25 (i) Provide bow hunter education;

26 (ii) Acquire, construct, and maintain public archery ranges; or

1 (iii) Perform any study necessary to evaluate any program or  
2 project related to bow or muzzle loader hunting; and

3 (2) The remaining percentage to:

4 (i) Establish an effective and efficient deer checking system  
5 during the muzzle loader and bow hunting deer season;

6 (ii) Acquire additional hunter access during the muzzle loader  
7 and bow hunting season by:

8 1. The opening of additional State-owned lands to  
9 muzzle loader and bow hunting;

10 2. The purchase of rights-of-way or access roads to  
11 reach areas not open to muzzle loader and bow hunting;

12 3. The acquisition of additional lands for muzzle loader  
13 and bow hunting; and

14 4. The administration of a permit system applicable to  
15 newly opened areas; and

16 (iii) Police hunting lands during the muzzle loader and bow  
17 hunting season and provide additional law enforcement personnel as necessary to  
18 accomplish additional hunter access under item (ii) of this item.

19 [(b) The Department shall use \$1 from the sale of each resident regular and  
20 full season nonresident hunting license to provide funding for the processing of deer  
21 for donation to the needy.]

22 10-415.

23 (a) There are the following 3 seasons to hunt deer:

24 (1) Deer bow [hunting] season;

25 (2) Deer firearms season; and

26 (3) Deer muzzle loader season.

27 [(b) (1) Every person killing a deer shall report with the deer to a  
28 designated checking station within 24 hours after killing the deer.

29 (2) Notwithstanding any requirement of law, if the designated  
30 checking stations are closed in the county where a person kills a deer, a Natural

1 Resources police officer shall authorize the person to report with the deer to a  
2 designated checking station in another county.

3 (c) (1) A person with a hunting license also may purchase bonus deer  
4 stamps from the Department.

5 (2) A bonus deer stamp allows a person with the hunting license to  
6 hunt 1 deer for each stamp purchased in any of the following hunting seasons for deer  
7 in the State:

8 (i) Deer bow hunting season;

9 (ii) Deer muzzle loader season; and

10 (iii) Deer firearms season.

11 (3) An individual who purchases a bonus antlered deer stamp but does  
12 not use it during a particular season may use that stamp during any subsequent  
13 season in that hunting license year.

14 (4) The fee for each bonus antlered deer stamp issued in accordance  
15 with this subsection shall be \$10.00 for residents and \$25.00 for nonresidents.

16 (5) The Department may establish by regulation the type and number  
17 of deer stamps issued under this subsection if necessary to control the deer harvest in  
18 various areas of the State.

19 (d) Repealed.

20 (e) A person may not remove the head or hide or any part from any deer,  
21 except internal organs, or cut the meat into parts until the deer has been checked by  
22 the Department or 1 of the Department's agents at a designated checking station.  
23 Removal of the head or the hide of any deer not checked at a designated checking  
24 station shall be prima facie evidence that the deer was hunted illegally. Each separate  
25 deer or part of any deer taken illegally or found in possession shall be considered a  
26 separate offense.

27 (f) Any person who, while operating a motor vehicle on any highway in the  
28 State, accidentally strikes and kills a deer on the highway may have the deer if the  
29 person produces visible evidence of collision with the deer to any Natural Resources  
30 police officer, State law enforcement officer, or other designated representative of the  
31 Secretary. The provisions of this subsection shall be applicable to deer killed by  
32 collision with a motor vehicle at any time whether during the open season for killing  
33 deer or during the legally closed season.

34 (g) A person may not hunt a deer while the deer is taking refuge in or  
35 swimming through the waters of the State.

1 (h) Abrogated.]

2 [(i) (B) Upon written request from a federal facility for a variance from the  
3 established deer hunting season, the Department shall review the request and may:

4 (1) Approve the request;

5 (2) Deny the request; or

6 (3) Approve the request with conditions.

7 10-502.

8 (a) Any nonresident of the State who desires to trap furbearers[, except otter  
9 or beaver, first] shall procure a nonresident [trapper's] **TRAPPING** license in addition  
10 to any other license, **STAMP, OR PERMIT** required. [The license shall be issued only to  
11 residents of other states which grant the same trapping privileges to Maryland  
12 residents.]

13 (b) The license shall be:

14 (1) Issued for a [\$25.50] **\$50** fee [or a fee equal to that charged by the  
15 nonresident's home state for a similar license, whichever is greater]; **AND**

16 (2) [Issued in accordance with the procedures for issuing nonresident  
17 hunting licenses; and

18 (3)] Effective for the same period as a hunter's license.

19 (c) In addition to the license fee, the designated person who sells and issues  
20 the license may collect a processing fee equal to 10% of the license fee, and the balance  
21 of the fee shall be paid and accounted for in the manner provided by § 10-209 of this  
22 title.

23 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
24 read as follows:

25 **Article – Natural Resources**

26 10-301.

27 (c) (1) Except as provided in paragraph (2) of this subsection, the  
28 following persons are not required to obtain a hunting license, **DEER STAMP**, bow  
29 stamp, **OR** muzzleloader stamp[, or bonus antlered deer stamp]:

1 (i) With respect to hunting on farmland only:

2 1. The resident owner of the farmland and the owner's  
3 spouse, child, and child's spouse;

4 2. A tenant and the tenant's spouse, child, and child's  
5 spouse. A tenant is a person holding land under a lease, or a sharecropper who resides  
6 in a dwelling on the land, but a tenant does not include any employee of the owner or  
7 tenant; and

8 3. A nonresident owner of a parcel of farmland and the  
9 owner's spouse, child, and child's spouse if:

10 A. The parcel of farmland is located in Maryland and an  
11 adjacent state;

12 B. The owner's primary residence is on the parcel of  
13 farmland; and

14 C. The adjacent state extends similar privileges to a  
15 resident of Maryland;

16 (ii) Any resident serving in the armed forces of the United  
17 States while on leave in the State, during the resident's leave period, if, while hunting,  
18 the resident possesses a copy of the resident's official leave order;

19 (iii) Any person serving in the armed forces of the United States  
20 who has a service-connected disability, if, while hunting, the person possesses valid  
21 military identification; and

22 (iv) Any unarmed person participating in an organized foxhunt.

23 (g) (1) There shall be the following types of hunting licenses in the State:

24 **(I) A CONSOLIDATED HUNTING AND TRAPPING LICENSE**  
25 **THAT ENABLES THE PURCHASER TO HUNT AND TRAP ALL LEGAL GAME BIRDS**  
26 **AND MAMMALS NOT EXCEPTED BY THE DEPARTMENT IN REGULATION, DURING**  
27 **ANY APPROPRIATE SEASON IN MARYLAND, WITHOUT THE PURCHASE OF**  
28 **ADDITIONAL LICENSES AND STAMPS.**

29 **[(i)] (II)** A hunting license that enables the purchaser to hunt  
30 all legal game birds and mammals during any appropriate season in Maryland. This  
31 license does not include deer stamps, a migratory game bird stamp, a turkey stamp, or  
32 any other hunting stamp or permit required by the Department in regulation.

1                    [(ii)] (III) A nonresident 3–day hunting license that enables the  
 2 purchaser to hunt all legal game birds and mammals except deer, bear, and turkey for  
 3 the 3 consecutive legal hunting days in a single season that are specified on the license  
 4 by the issuing agent. The purchaser must also purchase a nonresident Maryland  
 5 migratory game bird stamp to hunt migratory game birds and a federal migratory bird  
 6 hunting and conservation stamp to hunt wild waterfowl with this license. Under no  
 7 circumstance does this license authorize the purchaser to hunt deer, bear, or turkey.

8                    (2) Residents may purchase a senior hunting license beginning in the  
 9 calendar year in which they attain the age of 65.

10                    (3) A nonresident of any age must purchase either a nonresident  
 11 hunting license, **A NONRESIDENT CONSOLIDATED HUNTING LICENSE**, or a  
 12 nonresident 3–day hunting license to hunt in the State.

13                    (4) The fees for hunting licenses are according to the following  
 14 schedule:

- 15                    (i) Resident, junior, under the age of 16 years ..... \$10.50
- 16                    (ii) Resident, regular, at least 16 years old and under the age of  
 17 65 years.....\$40.00
- 18                    (iii) Resident, senior, at least 65 years old ..... \$5.00
- 19                    **(IV) RESIDENT, CONSOLIDATED..... \$95.00**
- 20                    [(iv)] (V) Nonresident, regular, at least 16 years old..... \$160.00
- 21                    [(v)] (VI) Nonresident, junior, under the age of 16 years.. \$65.00
- 22                    [(vi)] (VII) Complimentary license authorized to be issued under  
 23 § 10–303 of this subtitle.....No fee
- 24                    [(vii)] (VIII) Nonresident 3–day hunting license..... \$60.00
- 25                    **(IX) NONRESIDENT, CONSOLIDATED..... \$295.00**

26                    (5) The fees for individual hunting stamps are according to the  
 27 following schedule:

- 28                    [(i) Bow stamp.....\$6.00]
- 29                    **(I) RESIDENT DEER STAMP..... \$40.00**
- 30                    **(II) NONRESIDENT CONSOLIDATED DEER STAMP ..... \$80.00**

1	<del>[(ii)]</del> <b>(III)</b>	Nonresident bow stamp .....	\$30.00
2	<del>[(iii)]</del>	Muzzleloader stamp.....	<del>\$6.00]</del>
3	(iv)	Nonresident muzzleloader stamp.....	\$30.00
4	(v)	Maryland migratory game bird stamp.....	<del>[\$9.00]</del> <b>\$12.00</b>
5	(vi)	Nonresident Maryland migratory game bird stamp ....	\$30.00
6	(vii)	<del>[Resident bonus antlered deer stamp .....</del>	<del>\$10.00</del>
7	(viii)	Nonresident bonus antlered deer stamp for each type of deer	
8		hunting season.....	\$30.00
9	(ix)]	Resident turkey stamp .....	\$10.00
10	<del>[(x)]</del> <b>(VIII)</b>	Nonresident turkey stamp.....	\$30.00

11 10-308.1.

12 (b) (1) A person may obtain a Maryland migratory game bird stamp for  
13 **[a] THE** fee ~~[of \$9.00]~~ **ESTABLISHED IN § 10-301 OF THIS SUBTITLE** from any  
14 person designated by the Department. The issuing person designated shall retain the  
15 sum of 75 cents as compensation for issuing each stamp. The balance of the fee is paid  
16 over and accounted for to the State Treasurer. The Treasurer shall credit all such fees  
17 received to the State Wildlife Management and Protection Fund, in accordance with §  
18 10-209 of this title.

19 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act  
20 shall take effect July 1, 2013.

21 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in  
22 Section 3 of this Act, this Act shall take effect July 1, 2012.